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Paper No. 10

In re Application of
William D. Budinger *et al*
Application No. 09/805,328
Filed: March 13, 2001
Attorney Docket No. I56US

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: DECISION ON PETITION
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This is a decision on the petition filed by facsimile transmission on October 4, 2002 by which petitioners request withdrawal of the holding that this application stands abandoned for failure to file a reply to the Office letter dated January 30, 2002. No fee is required for the petition.

The petition is granted.

Petitioners allege that a timely reply to the Office letter in question was in fact filed. This allegation is supported in a manner which satisfies the requirements of 37 CFR 1.8(b). Therefore, petitioners have established that this application was not in fact abandoned.

Accordingly, the Notice of Abandonment is hereby vacated, the holding of abandonment is withdrawn, and the application is restored to pending status. The application is being forwarded to the examiner for action on the reply filed on March 4, 2002, certificate of mailing date February 21, 2002.

PETITION GRANTED.


E. Rollins-Cross, Director, Patent
Examining Groups 3710 and 3720

Rodel Holdings, Inc.
Suite 1300
1105 North Market Street
Wilmington, DE 19899